

Service Date: September 11, 1995

FINAL ORDER NO. 6376

**DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, P.O. Box 202601
Helena, Montana 59620-2601**

IN THE MATTER OF Limousines of)	
Montana, Inc., Clyde Park, Montana)	
the application for a Montana Intrastate)	Docket No. T-95.33.PCN
Certificate of Public Convenience and)	Order No. 6376
Necessity.)	

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On April 10, 1995, Limousines of Montana, Inc., P.O. Box 93, Clyde Park, Montana 59018, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class B - Passengers by limousine between all points and places within a fifty (50) mile radius of Helena, Montana, and within all points and places in Jefferson County; also from all of the foregoing points to all points in Montana, and from all points in Montana to all of the foregoing points.

Limitations: 1) Transportation is limited to nine (9) passengers and further limited to limousine transportation only. 2) Transportation as a jitney or taxi is prohibited. 3) Reservations for limousine service must be made at least eight (8) hours in advance.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public May 4, 1995. That notice said in pertinent part:

If no written protests are received by May 24, 1995, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were filed by Duane & Debbie Bartlett dba Camelot Limousine Service, Missoula, Montana; Karst Stage, Inc., Bozeman, Montana; Hall Transit Charter Service, Inc., Great Falls, Montana; and Schelko, Inc. dba A-Limo Limousine Co., Billings, Montana.

4. Notice of Public Hearing was issued June 27, 1995, with hearing scheduled for July 18, 1995, In Helena, Montana. The hearing was vacated at the request of the applicant.

5. Applicant subsequently restrictively amended his application. All protests were withdrawn. The restrictions are incorporated into the authority granted herein.

6. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 21st day of August, 1994, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-95.33.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Limousines of Montana, Inc., P.O. Box 93, Clyde Park, Montana, for a Certificate of Public Convenience and Necessity **IS GRANTED** to the following extent:

Class B - Passengers by limousine between all points and places within a fifty (50) mile radius of Helena, Montana, and within all points and places in Jefferson County; also from all of the foregoing points to all points in Montana, and from all points in Montana to all of the foregoing points.

Limitations: 1) Transportation is limited to nine (9) passengers and further limited to limousine transportation only. 2) Transportation as a jitney or taxi is prohibited. 3) Reservations for limousine service must be made at least eight (8) hours in advance. 4) Transportation which originates in Silver Bow, Deer Lodge, Granite, Powell, Beaverhead, Ravalli and Cascade Counties is prohibited; however, transportation which originates in Jefferson County or points within a fifty (50) mile radius of Helena and which is performed as a continuous round trip movement to points in Silver Bow, Deer Lodge, Granite, Powell, Beaverhead, Ravalli, and Cascade Counties and return may be performed.

IT IS FURTHER ORDERED that Montana Intrastate Certificate of Public Convenience and Necessity, PSC 9020, issued January 8, 1993, be returned to the Commission offices for cancellation in lieu of the expanded authority granted herein.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, **IN OPEN SESSION** at Helena, Montana, this 21st day of August, 1995, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: **Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.**